

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KAREN SPECTOR,
Plaintiff,
v.

WILLIAMS-SONOMA, INC.,
Defendant.

Case No. [24-cv-06617-HSG](#)

**ORDER DISMISSING CASE
PURSUANT TO RULE 25**

In August 2024, Plaintiff Karen Spector filed a putative class action in San Francisco Superior Court against Defendant Williams-Sonoma, Inc., and Defendant removed the case to this Court. *See* Dkt. No. 1 at 2. On January 16, 2025, Plaintiff's counsel filed a statement noting Plaintiff's death during the pendency of the action. *See* Dkt. No. 23.


Under Federal Rule of Civil Procedure 25, if a party dies and the claim is not extinguished, the court may order substitution of the proper party upon a motion by any party or by the decedent's successor or representative. Fed. R. Civ. P. 25(a)(1). But if the motion for substitution is not made within 90 days after service of a statement noting the death, the action by or against the decedent "must be dismissed." *Id.*

Because Plaintiff's counsel filed the notice of Plaintiff's death on January 16, 2025, a motion to substitute a proper party for Plaintiff was due April 16, 2025. *See* Fed. R. Civ. P. 25(a)(1). After this deadline passed, Defendant filed a notice arguing that the case must be dismissed under Rule 25. Dkt. No. 29 at 2. The Court directed Plaintiff's counsel to file a statement responding to Defendant's position, or a statement of non-opposition. Dkt. No. 30. Plaintiff's counsel then filed a statement confirming that counsel did not oppose the case being dismissed under Rule 25. Dkt. No. 31 at 2.

Accordingly, because the deadline to substitute a proper party has passed, the Court
DISMISSES Plaintiff's complaint under Rule 25. The Clerk is directed to close the case.

IT IS SO ORDERED.

Dated: 4/22/2025


HAYWOOD S. GILLIAM, JR.
United States District Judge

United States District Court
Northern District of California